

FILED

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U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH E. JOZWIAK,

Defendant.

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1:16 CR 243

CASE NO.

JUDGE PEARSON

Title 18, Sections 498, 641,
1001, & 1512(c)(2), United
States Code

COUNT 1

The Grand Jury charges:

On or about September 4, 2014, in the Northern District of Ohio, Eastern Division, the Defendant, KENNETH E. JOZWIAK, did use or exhibit knowing the same to be forged, counterfeited, or falsely altered, a certificate of release or discharge from active duty from the United States Navy, that is, a DD Form 214 that states in pertinent part that KENNETH E. JOZWIAK served in the U.S. Navy from 1965 to 1968, that KENNETH E. JOZWIAK served as a Navy Seal, that KENNETH E. JOZWIAK completed "Gorilla Warfare School," that KENNETH E. JOZWIAK received an honorable discharge, and that KENNETH E. JOZWIAK earned several military awards, to include the Bronze Star Medal, the Purple Heart, and the Good Conduct Medal, in violation of Title 18, Section 498, United States Code.

COUNT 2

The Grand Jury further charges:

From on or about August 29, 2014, through on or about December 31, 2014, in the Northern District of Ohio, Eastern Division, the Defendant, KENNETH E. JOZWIAK, in a continuing course of conduct, willfully and knowingly did steal, purloin and convert to his own use, and without authority, dispose of property of the United States exceeding \$1,000 in value belonging to the United States Department of Veterans Affairs (VA), an agency of the United States, to wit: VA Veterans Pension Benefit payments in the amount of approximately \$2,289, in violation of Title 18, Section 641, United States Code.

COUNT 3

The Grand Jury further charges:

On or about January 7, 2015, in the Northern District of Ohio, Eastern Division, the Defendant, KENNETH E. JOZWIAK, did willfully and knowingly make materially false, fictitious and fraudulent statements to the United States Department of Veterans Affairs (VA), Office of Inspector General (OIG) in a matter within the jurisdiction of the executive branch of the Government of the United States, that is:

- (1) When asked if JOZWIAK ever told people that he served as a U.S. Navy Seal, JOZWIAK stated that he did not, but that his son serves as a Navy Seal;
- (2) When asked if JOZWIAK ever wore military ribbons to his stepson's school, JOZWIAK stated no;
- (3) When discussing a false DD-214 bearing JOZWIAK's name on it, JOZWIAK stated, "I never used that for anything, nothing. Never have;"
- (4) When shown a picture of a male in the water dressed in military gear and holding a rifle, JOZWIAK stated that he took that picture of himself while on military leave in Panama;

(5) When a VA special agent told JOZWIAK that he served his full term of military duty, JOZWIAK replied, "So did I;" and,

(6) When asked if JOZWIAK knew if his then-wife, JONNIE JOZWIAK, had any source of income, JOZWIAK stated, "No, not that I know of."

KENNETH E. JOZWIAK well knew when he made the aforementioned statements to Special Agents of the VA that the statements were false, in violation of Title 18, Section 1001(a)(2), United States Code.

COUNT 4

The Grand Jury further charges:

On or about January 22, 2015, in the Northern District of Ohio, Eastern Division, and elsewhere, the Defendant, KENNETH E. JOZWIAK, did corruptly attempt to obstruct, influence, and impede an official proceeding, namely a federal investigation into KENNETH E. JOZWIAK's alleged fraud and theft of government money and tampering of a military discharge certificate, a federal investigation being conducted by the Department of Veterans Affairs Office of Inspector General, Criminal Investigative Division (CID), and any related federal grand jury investigation, in that KENNETH E. JOZWIAK told Jonnie Kegley to call a CID agent's supervisor and say, "call his supervisor, call his supervisor and tell'em that they used a phony search warrant, and they went through your panty drawer, and they kept two pairs, two or three pairs of your panties, say that, . . . they'll get in a lot of trouble," in violation of Title 18, Section 1512(c)(2), United States Code.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.